

1 Michael Neville michael.neville@doj.ca.gov, wallace.greene@doj.ca.gov
2 Michael A. Pagni mpagni@mcdonaldcarano.com, spierallini@mcdonaldcarano.com,
3 dshosteck@mcdonaldcarano.com
4 G. David Robertson gdavid@nvlawyers.com, chris@nvlawyers.com; kirk@nvlawyers.com
5 Susan L. Schneider susan.schneider@usdoj.gov
6 Laura A Schroeder counsel@water-law.com, Katherine@water-law.com; tau@water-law.com
7 Sheri M. Schwartz ! ajarvis@lbbslaw.com
8 Debbie Shosteck dshosteck@mcdonaldcarano.com, smelendez@mcdonaldcarano.com
9 Stacey Simon ssimon@mono.ca.gov
10 James L Spoo spootoo@aol.com
11 Bryan L Stockton blstockt@ag.state.nv.us, payoung@ag.state.nv.us
12 J. D. Sullivan jd@mindenlaw.com, gene_kaufmann@hotmail.com,
13 attyjoesullivan@hotmail.com, awoods@mindenlaw.com
14 Wes Williams wwilliams@stanfordalumni.org
15 Charles S Zumpft zumpft@brooke-shaw.com
16 Ross E. de Lipkau RdeLipkau@parsonsbehle.com, rtinnell@parsonsbehle.com
17

18
19 And I further certify that I served a copy of the foregoing to the following non-CM/ECF
20 participants by U.S. Mail, postage prepaid, this 25th day of October, 2006:
21

22 Brian Chally
23 Douglas County District Attorney's Office
24 P.O. Box 218
1625 8th Street
Minden, NV 89423-

25 William J. Duffy
26 Davis Graham & Stubbs LLP
27 1550 17th Street
28 Suite 500
Denver, CO 80202

- 1 Cheri K Emm-Smith
PO Box 1210
- 2 Hawthorne, NV 89415
- 3 Daniel N. Frink
California Water Resources Control Board
- 4 P.O. Box 100
Sacramento, CA 94814-
- 5 Nathan Goedde
California Department of Fish and Game
- 6 1416 9th Street Ste 1335
Sacramento, CA 95814
- 7 Mary Hackenbracht
California Attorney General's Office
- 8 1300 I Street, Suite 1101
PO Box 944255
- 9 Sacramento, CA 94244-2550
- 10 Robert L. Hunter
Western Nevada Agency
- 11 311 East Washington Street
Carson City, NV 78701-4065
- 12 George M. Keele
George M. Keele, APC
- 13 1692 Country Road
Suite A
- 14 Minden, NV 89423-
- 15 John Kramer
Department of Water Resources
- 16 1416 Ninth Street
Sacramento, CA 95814-
- 17 David Moser
McCutchen, Doyle, Brown, Et Al.
- 18 Three Embarcadero Center,
Suite 1800
- 19 San Francisco, CA 94111-
- 20 Stephen B Rye
Lyon Count District Attorney
- 21 31 South Main Street
Yerington, NV 89447-
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LEWIS BRISBOIS BIS, RD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 250-1800

1 John P Schlegelmilch
Lyon County District Attorney's Office
2 31 South Main Street
Yerington, NV 89447-

3 William J Shaw
4 Brooke & Shaw, Ltd.
1590 Fourth Street
5 P.O. Box 2860Minden, NV 89423-

6 Gary A Sheerin !
Gary A. Sheerin, Law Office of
7 177 W Proctor Street
Suite B
8 Carson City, NV 89703

9 Garry Stone
Water Master
10 290 South Arlington Ave
Reno, NV 89501-

11 Harry W Swainston
12 Harry W. Swainston
4040 Hobart Rd.
13 Carson City, NV 89703-

14 Louis S Test
Hoffman, Test, Guinan & Collier
15 429 W. Plumb Ln.
P.O. Box 187
16 Reno, NV 89504-

17 Walker Lake Water Dist. G.I.D.
175 Wassuk Way
18 Walker Lake, NV 89415

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Roberta G. Dunn

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 7-10-06

MARGARET L. ALSON
Signature

MARGARET L. ALSON
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:

2
3 Address:

4
5
6 Phone Number:

7 Fax Number:

8 

9 (Signature)

10
11 MARGARET MASON

12 (Printed or typed Name)

13
14
15 (Entity, if any, on whose
16 behalf you are appearing)

17
18 (Address)

19 (Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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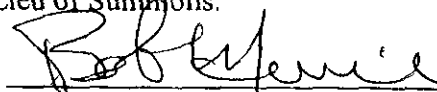
3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date:

10/10/06



Signature

ROBERT H. MORRILL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

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TO: Susan L. Schneider, attorney for the United States of America

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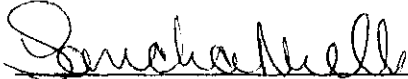
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.


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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/14/06



Signature



Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

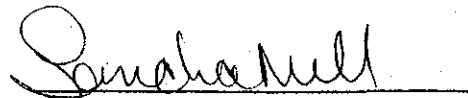
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Attorney:

Address:

Phone Number:

Fax Number:



(Signature)



(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

(Address)

(Telephone number)

D H 382063
02/28/2007 1:22 PM
Official Record

Requested By
TITLE SERVICE & ESCROW

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 2 Fee: \$15.00

Recorded By: MCM RPTT: \$585.00

APN 14-071-01
Document Transfer Tax \$585.00
Order No. TSF-19961 LB
Mail Tax Bill to Grantee:

1147. N Daybreak DR
Washington UT 84780



SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

DANIEL A. NORBY, an unmarried man

do (es) hereby GRANT, BARGAIN and SELL TO

HOMESTRETCH ENERGY, LLC a Nevada Limited Liability Company

the real property situate in the County of Lyon, State of Nevada, described as follows:

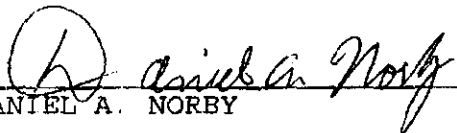
The Northwest 1/4 of the Northeast 1/4 of Section 14, Township 15 North, Range 25 East, M.D.B.&M.

Said parcel as further delineated on Lyon County Record of Survey Map, recorded on February 2, 1982 as Document No. 065906.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.


APN 14-071-01

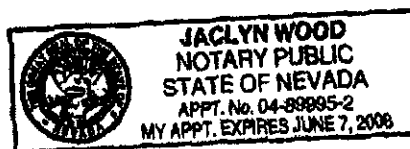
DATED 5-8-06


DANIEL A. NORBY

STATE OF Nevada)
COUNTY OF Nevada) ss.

On May 8, 2006 personally appeared
before me, a Notary Public (or Judge or other
authorized person, as the case may be),
DANIEL A. NORBY
who acknowledged to me that he executed the
within instrument.


Notary Public



STATE OF NEVADA
CERTIFICATION OF VITAL RECORD
DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH
VITAL STATISTICS
STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS
CERTIFICATE OF DEATH

LOCAL FILE NUMBER		STATE FILE NUMBER	
DECEASED—NAME First Middle Last		DATE OF DEATH (Month, Day, Year)	
1. Alan Wyatt OLIVER		a. July 10, 2006	
CITY, TOWN OR LOCATION OF DEATH		COUNTY OF DEATH	
3b. Yerington		3a. Lyon	
HOSPITAL OR OTHER INSTITUTION—Name (If not either, give street and number)		If Hosp. or Inst. indicate DOA, OP/Emet. Rm. Inpatient (Specify)	
3c. At Home; 613 Pete Hendricks Rd		3a. —	
RACE—(e.g., White, Black, American Indian, etc.) (Specify)		SEX	
5. White		4. Male	
Was Decedent of Hispanic Origin? Specify <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes, specify Mexican, Cuban, Puerto Rican, etc.		DATE OF BIRTH (Mo., Day, Yr.)	
6. —		June 13, 1939	
STATE OF BIRTH (If not U.S.A., name country)		CITIZEN OF WHAT COUNTRY	
9a. Oklahoma		9b. USA	
SOCIAL SECURITY NUMBER		Decedent's Education. Specify highest grade completed.	
13. 441-40-2670		10. 15	
USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired)		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)	
14a. Radar Tech		17. Married	
KIND OF BUSINESS OR INDUSTRY		SURVIVING SPOUSE (If wife, give maiden name)	
14b. USAF		12. Jo Marie Bostwick	
RESIDENCE—STATE		CITY, TOWN, OR LOCATION	
15a. Nevada		15c. Yerington	
COUNT		STREET AND NUMBER	
15b. Lyon		15d. 613 Pete Hendricks Road	
FATHER—NAME First Middle Last		MOTHER—MAIDEN NAME First Middle Last	
16. Floyd F. Oliver		17. Bessie M. Wyatt	
INFORMANT—NAME (Type or Print)		MAILING ADDRESS (Street or R.F.D. No., City or Town, State, Zip)	
18a. Jo Oliver		18b. 613 Pete Hendricks Road Yerington, Nevada 89447	
BURIAL, CREMATION, REMOVAL, OTHER (Specify)		CEMETERY OR CREMATORY—NAME	
19a. Burial		19b. Northern Nevada Veterans Memorial Cemetery	
FUNDAL DIRECTOR—SIGNATURE (Or Person, Address, etc.)		LOCATION City or Town State	
20a. [Signature]		19c. Fernley Nevada	
FUNDAL DIRECTOR LICENSE NUMBER		NAME AND ADDRESS OF FACILITY	
20b. 614		20c. 25 Hwy 208 Freitas Ruprecht Funeral Home	
20c. 25 Hwy 208		Yerington, Nevada 89447	
21a. I, the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated.		22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) and manner stated.	
(Signature and Title) [Signature]		(Signature and Title) [Signature]	
DATE SIGNED (Mo., Day, Yr.)		DATE SIGNED (Mo., Day, Yr.)	
21b. 07/12/2006		22b. —	
HOUR OF DEATH		HOUR OF DEATH	
21c. 1048		22c. —	
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)		PRONOUNCED DEAD (Mo., Day, Yr.)	
21d. [Signature]		PRONOUNCED DEAD (Hour)	
21e. [Signature]		22d. ON	
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER). (Type or Print)		22e. AT	
23a. Leslie McBrown, MD 311 Surprise Yerington		LICENSE NUMBER	
23b. 000669		24b. 07/18/2006	
REGISTRAR		DATE RECEIVED BY REGISTRAR (Mo., Day, Yr.)	
24a. [Signature]		24c. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)		DEATH DUE TO COMMUNICABLE DISEASE	
PART (a) metastatic pancreatic cancer		Interval between onset and death	
DUE TO, OR AS A CONSEQUENCE OF:		Interval between onset and death	
(b) —		Interval between onset and death	
DUE TO, OR AS A CONSEQUENCE OF:		Interval between onset and death	
(c) —		Interval between onset and death	
OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause given in Part 1.		AUTOPSY (Specify Yes or No)	
26. —		27. YES	
ACC. SUICIDE, HOMICIDE, UNDET. OR PENDING INVEST. (Specify)		28. NO	
DATE OF INJURY (Mo., Day, Yr.)		HOUR OF INJURY	
29a. —		29b. —	
INJURY AT WORK (Specify Yes or No)		PLACE OF INJURY—At home, farm, street, factory, office building, etc. (Specify)	
29c. —		29d. —	
LOCATION		STREET OR R.F.D. No.	
29e. —		CITY OR TOWN	
29f. —		STATE	
29g. —		29h. —	

STATE REGISTRAR

No. 335874

125622

CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

DATE ISSUED:

JUL 20 2006

STATE REGISTRAR

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Exhibit 114

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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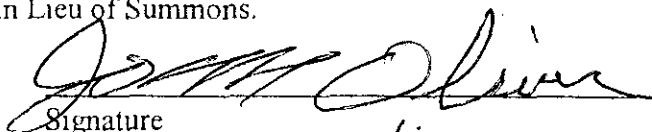
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

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Date: 19 Aug 2006



Signature

Marie Oliver

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

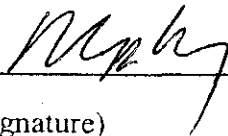
Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

Randolph Perry
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

1614 Bayview Dr
Hampton Beach, NH 0254
(Address)

310 318 6632
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

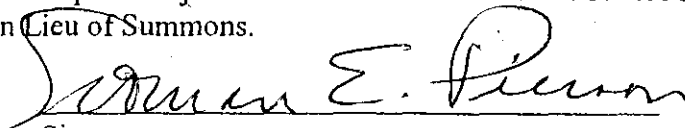
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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 9/12/06


Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

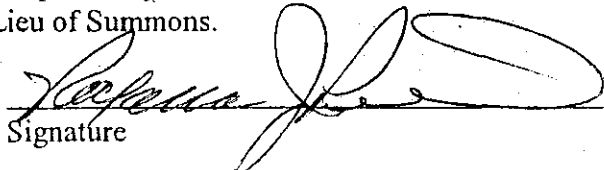
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5/12/06


Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

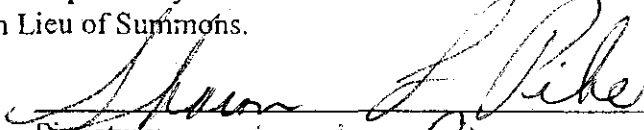
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-27-06


Signature
SHARON L. PIKE
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Susan L. Schneider, Attorney
U.S. Department of Justice
P.O. Box 756
Littleton, CO 80160-0756

S. L. Schneider

Nov. 10-22-06

RENOVATION

31 OCT 2006



Susan L. Schneider, Attorney
U.S. Department of Justice
P.O. Box 756
Littleton, CO 80160-0756

80160-0756

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 09-18-2006

David M. Pinkstaff

Signature

DAVID M. PINKSTAFF

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _____ of (Title)

(Corporate, Trust, Partnership or other entity)

Essary Costs of Service of Notice in Lieu of Summons

quires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of (such as yourself) located in the United States who, after being notified of an action and asked by nited States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear failure to sign and return the waiver.

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hin 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

CORRECT ADDRESS

IS

460 Upper Colony Rd
Wellington NV

89444

not 89447

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

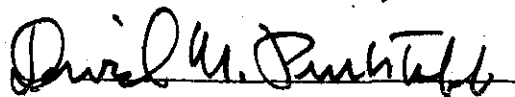
1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:
Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:
Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:



(Signature)

DAVID M. PINKSTAFF

(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

460 UPPER COLONY RD
WELLINGTON NV 89444

(Address)

775-465-2622

(Telephone number)

NOTE
CORRECT
ADDRESS =
NOT 450

ZIP IS 89444

NOT 89447

THERE IS NO EXHIBIT 121.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: JAN. 1 - 07

Oscar N. Reese

Signature

OSCAR N REESE

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title)

OSCAR N. REESE FAMILY TRUST
(Corporate, Trust, Partnership or other entity) AGREEMENT

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 12/30/06


Signature

REX W REILAND
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTE of (Title)

REX REILAND TRUST
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

80000 SERIES
10% P.C.W.
RECYCLED

12



Stock# 83101
(83101)

072998

DO-2-380866
04/27/2006 04:44 PM
Official Record
Requested By
TITLE SERVICE & ESCROW
Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 2 Fee: \$15.00
Recorded By: JKS RPTT: \$1,209.00

APN 14-621-67
Document Transfer Tax \$1,209.00
Order No. TSL-30638
Mail Tax Bill to Grantee:
P.O. Box 65
Yerington, NV 89447



SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

FRANK W. REMICK and JANICE I. REMICK, husband and wife

do (es) hereby GRANT, BARGAIN and SELL TO

BROCK TIBBALS, an unmarried man and LISA TIBBALS, an unmarried woman, as Joint Tenants with the Right of Survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

All that certain land located in a portion of Section 4, Township 13 North, Range 26 East, Mount Diablo Meridian, as shown on that certain map entitled "A PARCEL MAP FOR RICHARD & CHARLOTTE REED, ETAL" recorded as file #168027, Lyon County Records, being described as follows:

Commencing at the Northwest corner of Parcel "B", said point also being on the Southerly Right-of-Way of Pete Hendrichs Road as shown on said Parcel Map; Thence along said Right-of-Way, North 89°21'57" East a distance of 208.85 feet to the POINT OF BEGINNING; Thence continuing along said Right-of-Way, North 89°21'57" East a distance of 219.11 feet to the beginning of a curve to the right; Thence along said curve having a radius of 20.00 feet and an arc length of 31.28 feet subtended by a central angle of 89°37'10" and a chord of South 45°49'28" East a distance of 28.19 feet to a point on the Westerly Right-of-Way of Falcon Way, as shown on said Parcel map; Thence along said Westerly Right-of-Way, South 1°00'53" East a distance of 398.38 feet; Thence leaving said Right-of-Way, South 89°33'03" West a distance of 239.10 feet; Thence North 0°59'54" West a distance of 417.48 feet to the Point of Beginning.

Exhibit 124

Exhibit 125



380855

04/27/2006
002 of 2

Legal Description appeared previously in Document No. 265749, recorded on September 10, 2001, Official Records of Lyon County, Nevada.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

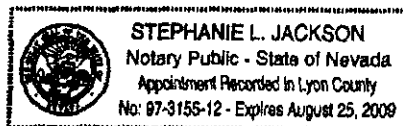
DATED 4/26/06

FRANK W. REMICK

JANICE I. REMICK

STATE OF NEVADA)
) ss.
COUNTY OF LYON)

On April 26, 2006 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), FRANK W. REMICK and JANICE I. REMICK, who acknowledged to me that they executed the within instrument.

Notary Public

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date 10/5/06

Tom Riley
Signature

Tom Riley
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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Date: 09-20-06

George W. Rose
Signature

George W. Rose
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Date: 02-20-06

Winnie O. Rose
Signature

WINNIE O. ROSE
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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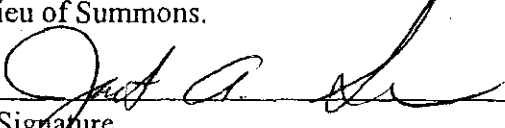
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Date: 9-15-06


Signature

Janet A. Sanderson
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.


5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney:

Address:

Phone Number:

Fax Number:


(Signature)

Janet A. Sanderson
(Printed or typed Name)

(Entity, if any, on whose
behalf you are appearing)

310 Hwy 208
Verington NV 89447
(Address)

775-463-3047
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 1/3/07

Bruce K Sanford
Signature

BRUCE K SANFORD
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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Date: 1/3/07


Signature

Lynda L. Sanford
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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Date: 10-15-06

Janice Scandrett
Signature

Janice Scandrett
Printed/Typed Name

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acting as: _____ of
(Title)

(Corporate, Trust, Partnership or other entity)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,

a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
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Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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telephone number, and facsimile number: